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Security Council

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Statement by the President of the Security Council

At the 8208th meeting of the Security Council, held on 19 March 2018, in connection with the Council's consideration of the item entitled "International Residual Mechanism for Criminal Tribunals", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council recalls its resolution 1966 (2010) of 22 December 2010, establishing the International Residual Mechanism for Criminal Tribunals ("Mechanism") to carry out, in accordance with the provisions of the Statute annexed to that resolution ("Statute") and the Transitional Arrangements in Annex 2 to the resolution, residual functions of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 ("ICTY") and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States, between 1 January 1994 and 31 December 1994 ("ICTR").

"The Security Council also recalls that, in view of the substantially reduced nature of the residual functions, the Mechanism should be a small, temporary and efficient structure, whose functions and size will diminish over time, with a small number of staff commensurate with its reduced functions.

"The Security Council further recalls its decision that the Mechanism shall operate for an initial period of four years starting from 1 July 2012, and its decision to review the progress of the work of the Mechanism, including in completing its functions, before the end of this initial period and every two years thereafter, and its further decision that the Mechanism shall continue to operate for subsequent periods of two years following each such review, unless the Security Council decides otherwise.

"The Security Council notes the Mechanism's annual reports to the Security Council and to the General Assembly and its six-monthly reports to the Security Council on the progress of the Mechanism, submitted in accordance with Article 32 of the Statute.

"The Security Council requests the Mechanism to present by 15 April 2018 its report on the progress of its work since the last review of the Mechanism in December 2015, including in completing its functions, with detailed schedules for the proceedings currently under consideration as well as factors relevant to projected completion dates for the cases and other matters over which the

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Mechanism has jurisdiction, including in accordance with the Transitional Arrangements in Annex 2 to resolution 1966 (2010) ("report").

"The Security Council requests the Informal Working Group on International Tribunals to carry out a thorough examination of the Mechanism's report, as well as the report on the evaluation of the methods and work of the Mechanism by the Office of Internal Oversight Services ("OIOS") which is due to be submitted to the Security Council by 31 March 2018, and to present its views and any findings or recommendations for the Council's consideration in its review of the work of the Mechanism, including in completing its functions with efficiency and effective management. This review will be completed by 15 May 2018 and its outcome shall be reflected by the Security Council in an appropriate form.

"The Security Council notes that the Informal Working Group on International Tribunals may formulate, if necessary, additional questions to be addressed in the report of the Mechanism requested according to the present Statement.

"The Security Council notes that the process described in paragraph 6 of the present Statement, with any findings or recommendations adopted by the Security Council, shall constitute the review of the work of the Mechanism pursuant to paragraph 17 of resolution 1966 (2010). It further underlines that this process shall include in the next reviews evaluation reports sought from the OIOS with respect to the methods and work of the Mechanism.

"The Security Council notes with concern that the Mechanism faces problems in the relocation of acquitted persons and convicted persons who have completed serving their sentences, and emphasizes the importance of the successful relocation of such persons.

"The Security Council stresses its ongoing determination to combat impunity for those responsible for serious violations of international humanitarian law and the necessity that all persons indicted by the ICTY and ICTR, including the remaining fugitives, are brought to justice."